

DEPARTMENT OF THE ARMY

GENERAL PERMIT

Authorization No.: (General Pennit)NOD-2

Original Effective Date: February 3,1978

Present Expiration Date: July 31.2005

Under authorization granted by applicable sections of Parts 320 through 330 of Title 33. Code of Federal Regulations, and delegated authority from the Commander, U. S. Army Corps of Engineers, the District Engineer at New Orleans has determined that it is not contrary to the public interest to issue a general permit time extension for the maintenance of existing trenasses (piroque ditches).

Specific legislation requiring Department of the Army permits for work of this nature:

- a. Section 10 of the Rivers and Harbors Act of 3 March 1899 (33 USC 403).
- b. Section-404 of the Clean Water Act (33 USC 1344).

Therefore, any **person** wishing to maintain and/or deepen trenasses is authorized to do so by the Secretary of the Army, subject to the conditions, requirements, and guidelines hereafter listed in this document.

Trenasses are small ditches constructed in marshes and other wetland areas which are used by hunters, fishermen, trappers, and others in pirogues or other small watercraft as navigation channels. The areas traversed by trenasses are usually highly organic and/or soft clay soils. standing water, and interlaced with small water bodies. It is difficult, if not impossible, for people to walk in such areas.

This general permit authorizes maintenance and deepening of trenasses in the **New** Orleans District. The approximate boundaries of the New Orleans District are shown on the map attached to this general permit (see attached).

Navigable waters of the United States and waters of the United States are defined by Parts 328 and 329 of Title 33, Code of Federal Regulations.

66

The **work** must be performed in accordance with the drawings attached hereto, which are incorporated into and made a part of this permit.

The work must be performed in accordance with the applicable standard conditions of the regular Department of the Army Permit (ENG Form 1721). A copy of the form is attached hereto and made a part of this general permit. All references to the "permittee" in the standard permit form shall be understood to refer to persons, groups, or corporations performing work under authorization of this general permit.

Additional conditions to which the work authorized by this general permit is subject to follows:

- a. Work may be performed within existing trenasses subject to the following:
  - (1) Maximum width of excavation is 6 feet.
  - (2) Maximum depth to which trenasses may be excavated is 3 feet below natural ground level.
  - (3) Material excavated from the trenasses must be deposited so as not to impede normal water interchange in the area.
    - (a) No material may be deposited into any watercourse crossed by a trenasse.
    - (b) Material shall be deposited on alternate sides of the trenasse. The maximum length of any continuous deposition site shall not exceed 500 feet.
    - (c) When placed in wetlands, dredged material shall not be deposited greater than 6-inches above the existing ground level.
    - (d) Use of machines or equipment to maintain trenasses whereby the dredged material is widely scattered and not deposited in piles is acceptable.
    - (e) Turbidity shall be kept to a practicable minimum.
- b. Construction of new trenasses is not authorized by this general permit. Thus, trenasses may not be extended to connect with bayous, canals, lakes, lagoons, ponds, or other open water bodies.
- c. Work may not be performed in or within 500 feet of any water body included in a federal or state system of natural and scenic waterways.

- d Work may not be performed within the boundaries of any wildlife refuge or game management area without specific authorization of the facility manager.
- e Work may not be performed within 500 feet of a levee or floodwall constructed or maintained with federal funds under authority of this general permit, unless clearance can be obtained from the various office elements of this District, including the Engineering Division.
- f Each person wishing to perform work must submit a complete application to: Regulatory Functions Branch, U. S. Army Corps of Engineers, P. O. Box 60267, New Orleans, Louisiana 70160-0267. A complete application includes all the following items: application form (ENG FORM 4345), vicinity map, plan view showing complete project including the deposition sites, and cross sections with all dimensions.
- g. Each person must receive written authorization before commencing the work.
- h. All authorizations, licenses, or approvals required by state and local laws or regulations must be obtained before the work may be performed.
- i. Approval under this general permit does not replace nor supersede the requirement to obtain a water quality certification from the Louisiana Department of Environmental Quality or a Coastal Use Permit from the Louisiana Department of Natural Resources.
- j. The District Engineer may add additional conditions when he determines this is necessary to protect the public interest.
- k. This general permit may be suspended in whole or in part and/or revoked if the District Engineer determines that such action is necessary in the public interest.
- 1. Public notices will be issued to advise interested parties if revisions or additions to the permit are made, or if the permit is suspended or revoked.
- m. In cases when the District Engineer deems it necessary in the public interest, applications for authority to perform work under the general permit may be rejected and the applicants advised to apply for individual permits.

- n. This permit will be effective until July 31, 2005. It may be further extended at that time, subject to additional public interest review.
- o. Work may not be performed under authority of this general permit at a recorded historic or archeological site. If cultural resources are uncovered, work must be suspended and notification given to the State Archeologist.
- p. Individual approvals granted to applicant under this general permit allow 10 years from the date of the individual approval letter to continue performance of maintenance dredging operations.
- q. No activity that is likely to adversely affect federally listed threatened or endangered species, or that is likely to destroy or adversely modify the critical habitat of such species, is authorized under this general permit.
- r. This general permit does not authorize any work within 1,500 feet of a colonial bird nesting site.
- s. This general permit does not authorize any work within 3,000 feet of a bald eagle nesting site.